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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/615,599  | 07/07/2003  | Daniel James Bickley | MA94-001            | 8287             |
| 21567   | 7590        | 02/16/2005           | EXAMINER            |                  |
| WELLS ST. JOHN P.S.<br>601 W. FIRST AVENUE, SUITE 1300<br>SPOKANE, WA 99201 |             |                      | CASAREGOLA, LOUIS J |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 3746                |                  |
| DATE MAILED: 02/16/2005   |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/615,599

Applicant(s)

BICKLEY, DANIEL JAMES

Examiner

Louis J. Casaregola

Art Unit

3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Reasons for Allowance.

### ***Objections To Claims***

Claim 9 is objected to under 37 CFR 1.75(a) for the following reason:

In claim 9, "the reference supply of fuel" (line 2), and "the pressure drop spill valve" (line 3) lack antecedent basis. Claim 9 depends from claim 6 but the cited items are introduced in claim 7, hence, claim 9 should depend from claim 7 rather than claim 6.

### ***Allowable Subject Matter***

Claims 1-8 are allowed, and claim 9 will be allowed when the above objection is overcome.


### ***Reasons For Allowance***

The present invention is a fuel control system for a staged combustion engine (gas turbine) in which fuel is supplied to both primary and secondary burners through a metering valve followed by a pressurizing shutoff valve, and fuel is initially supplied to the primary burners for starting. Fuel systems having metering valves and pressurizing

Art Unit: 3746

shutoff valves along with primary and secondary (or pilot and main) burners are well known in the art, as indicated by the references cited on PTO Forms 892 and 1449. All such systems also require some type of provision to supply fuel for starting. None of the references of record, however, disclose or fairly suggest a system of this type in which a pressurizing shutoff valve initially prevents fuel flow to both burner sets while fuel is supplied by a start valve and flow means that bypass the pressurizing shutoff valve in the manner specified by the present claims. The claimed invention is therefore considered patentable over the prior art.

L. J. Casaregola  
571-272-4826 (M-F; 7:30-4:00)  
703-872-9306 FAX  
February 10, 2005



LOUIS J. CASAREGOLA  
PRIMARY EXAMINER

If repeated attempts to reach the examiner by telephone are unsuccessful, the art unit supervisor, Cheryl Tyler, can be reached at 571-272-4834.

Information regarding the status of this application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR, and status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).